



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Simons & Youhe Gao
Serial No. : 09/276,868
Filed : March 26, 1999
For : "METHODS FOR PR-39 PEPTIDE REGULATED
STIMULATION OF ANGIOGENESIS"
Examiner : unknown
Group Art Unit : 1646
Attorney's Docket No. : BIS-043

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231
on: July 22, 1999.

Attorney for Applicants: David Prashken

Signature: David Prashken

Date: July 22, 1999

REQUEST FOR ENTRY OF SUBSTITUTE SIGNED DOCUMENTS

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Dear Sir:

In accompaniment with the enclosed Reply to the Notice To File Missing Parts Of Application, Filing Date Granted as well as to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures, each mailed on April 22, 1999 and extended through July 22, 1999 for the above-identified application, applicants' undersigned attorney respectfully requests that

the enclosed formally executed Declaration And Power Of Attorney as well as the other signed and formalized documents now be entered in and be made officially of record for the above-identified application. Accordingly, all of these substitute signed and formalized papers, after being entered and properly recorded, shall be transferred from the Applications Branch to the appropriate Group Art Unit and to the custody of the Patent Examiner of record; and these substitute signed and formalized documents are to be used by the Patent Examiner of record during the substantive prosecution of this application.

Respectfully submitted,

MICHAEL SIMONS
YOUHE GAO

Date: July 22, 1999
P.O. Box 5387
Magnolia, Massachusetts 01930
Tel.: (978) 525-3794

By: David Prashker
David Prashker
Reg. No. 29,693
Attorney for applicants



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: Michael Simons & Youhe Gao
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on: July 22, 1999

Attorney for Applicants: David Prashker

Signature: Daniel Prashker

Date: July 22, 1999

REPLY TO NOTICE TO FILE MISSING PARTS OF
APPLICATION, FILING DATE GRANTED

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Dear Sir:

In response to the Notice To File Missing Parts Of
Application, Filing Date Granted as well as to the Notice
To Comply With Requirements For Patent Applications
Containing Nucleotide Sequence And/Or Amino Acid Sequence
Disclosures, each mailed April 22, 1999 and extended through
July 22, 1999, please find enclosed the following documents
for filing on behalf of applicants and for formal entry into
the above-identified application:

1. A combined Declaration And Power Of Attorney which identifies the present application by the serial number and filing date affixed thereto and which is signed and dated by each of the named coinventors. This signed Declaration And Power Of Attorney was signed by each named coinventor only after first reviewing the original Specification.

2. A verified statement claiming Small Entity status which is signed and dated by each of the named coinventors of even date with the signed Declaration And Power Of Attorney.

3. A Request for entry of formalized substitute documents.

4. An initial paper form copy of the "Sequence Listing" to be formally entered into the original Specification of the above-identified patent application.

5. An Amendment Of Specification And Request For Entry Of A Paper Form Copy Of The Sequence Listing Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures.

6. A computer readable form (CRF) copy of the "Sequence Listing".

7. A Statement And Verification Of Substantive Identity Between The Computer Readable Form (CRF) Copy And The Paper Form Copy Of The "Sequence Listing".

8. One copy of the Notice To File Missing Parts Of Application, Filing Date Granted as mailed April 22, 1999.

9. One copy of the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures as mailed April 22, 1999.

In view of the enclosed documents and applicant's status as a Small Entity, the requisite fees are calculated to be as follows: three hundred eighty (\$380.00) dollars as the statutory basic filing fee; thirty nine (\$39.00) dollars for one independent claims in excess of three; nine (\$9.00) dollars for one total claim in excess of twenty; one hundred thirty (\$130.00) dollars for presentation of multiple dependent claims; and sixty five (\$65.00) dollars as a surcharge fee - totalling six hundred twenty three (\$623.00) dollars in all. However, as applicants have previously paid five hundred fifty eight (\$558.00) dollars in fees, please find enclosed a check in the amount of sixty five (\$65.00) dollars in complete payment of the fees now due. Accordingly, the present additional payment by check is deemed to satisfy in full all the requisite filing fees as due for the above-identified application.

Respectfully submitted,

MICHAEL SIMONS
YOUHE GAO

Date: July 22, 1999
P.O. Box 5387
Magnolia, Massachusetts 01930
Tel.: (978) 525-3794

By: David Prashker
David Prashker
Reg. No. 29,693
Attorney for applicants



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/276,868

07/26/99

SIMONS

M

BIS-043



DAVID PRASHKE
PO BOX 5387
MAGNOLIA MA 01938

0242/0422

NOT ASSIGNED

1646

DATE MAILED:

04/22/99

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☐ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

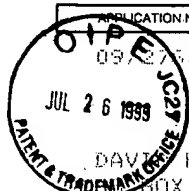


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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/27/868	03/26/99	SIMONS	M BIS-043

DAVID PRASHKER
BOX 5387
MAGNOLIA MA 01930

0242/0422

NOT ASSIGNED

1646

DATE MAILED:

04/22/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 368.

- ☒ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☒ insufficient.
- Applicant must submit \$ 202 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. The following additional claims fees are due:
- \$ 36 for 2 total claims over 20.
- \$ _____ for _____ independent claims over 3.
- \$ _____ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unsigned.
 - ☐ does not cover the newly submitted items.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.
- Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.52(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

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